

**RESPONSE TO RESTRICTION REQUIREMENT**

Serial Number: 10/749,133

Filing Date: December 30, 2003

Title: A HEARING AID HAVING A SUPPLY SOURCE PROVIDING MULTIPLE SUPPLY VOLTAGES

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Dkt: 899.076US1

**REMARKS**

This responds to the Office Action mailed on 2 October 2006.

No Claims are amended, no claims are canceled, and no claims are added; as a result, claims 1-34 are now pending in this application with claims 1-3 and 5-34 currently in examination. Applicant respectfully requests reconsideration of the above-identified application in view of the remarks that follow.

In the 2 October Office Action, a shortened period for reply was set to expire 3 months from the mailing date of the Office Action.

*Restriction Requirement*

In the Restriction Requirement mailed 2 October 2006, the Examiner has required election of one of the following patentably distinct species:

- “I. A hearing aid comprising a common substrate that is an insulating alumina substrate as seen in figure 1 and recited in claim 1.
- II. A hearing aid comprising a common substrate that is a rigid ceramic platform substrate as seen in figure 1 and recited in claim 4.”

Applicant believes that in the Office Action, Applicant is required to elect claims 1, 2, 3, and 5-34 or claims 2, 3, 4, and 5-34. Applicant elects claims 1-3 and 5-34. Applicant respectfully withdraws remaining claim 4 without prejudice, and reserves the right to reintroduce the non-elected claim for reconsideration in this application upon the allowance of a linking claim or to reintroduce the non-elected claim in a divisional application at a later date.

*Withdrawn Claims*

Claim 4 depends on claim 7. Therefore, Applicant submits that claim 7 is generic to claim 4. With the allowance of claim 7, Applicant respectfully requests the rejoinder and allowance of claim 4. *See M.P.E.P. 809 and M.P.E.P. 821.04.*

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**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2157 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 2 January 2007 By \_\_\_\_\_

  
David R. Cochran  
Reg. No. 46,632

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2nd day of January 2007.

CANDIS BUENDING

Name \_\_\_\_\_

Signature 